

PLANNING BOARD

DECEMBER 18, 2017

PRESENT: Rick Meyer, Thea Sheridan, Mike Campbell, Jared Cohen, Ed Windas, Larry Reynolds, Brian Magovern, Tom Burke, Chris Hoffman and Robert Forte

ABSENT: Matthew Doherty and Judy Rokoszak

ALSO, PRESENT: Board Attorney Douglas Kovats, Esq., Board Secretary April Claudio and Borough Engineer Joseph Venezia

At approximately 7:00 p.m. the secretary stated that adequate notice of this meeting of the Planning Board was sent by email to our official newspapers, the Coast Star and the Asbury Park Press on November 18, 2016 and by posting a copy of said notice at the Municipal Complex on the same date.

Workshop: Mr. Kovats gave a description of the application on the agenda and highlighted some points in the engineering review letter that should be addressed.

Mr. Meyer made a motion to approve the minutes of the November 13, 2017 meeting, which was seconded by Mr. Burke and approved by the following vote:

AYES: Mr. Meyer, Ms. Sheridan, Mr. Cohen, Mr. Windas, and Mr. Burke

NAYS:

ABSTAIN: Mr. Campbell, Mr. Magovern, Mr. Reynolds and Mr. Hoffman

LOKO CO. LLC – 710 RIVER AVENUE – PHASE II SITE PLAN APPLICATION

Appearing for this application was attorney William Wolfe, Developers Greg Kapalko and Brett Yarusi, Architect Brian Berzinkis, Traffic Engineer John Rea, and Surveyor Daniel Caruso.

Mr. Wolfe stated they are here tonight for Phase II of the project which consists of two buildings with residential units on the second and third floor and commercial units on the first floor.

Mr. Yarusi stated each building will have five residential units stacked like town homes. Each will be two bedrooms with a study and 2-2 ½ bathrooms, living room and kitchen. There will be interior staircases and elevator shafts for the residential units.

Mr. Yarusi stated the site currently has Phase I development, which consisted of outdoor bars, storage sheds and trailers. If Phase II is approved, all those items will be removed or demolished.

Mr. Yarusi had no objection to complying with items 9, 10, 15 of the Borough engineer's review letter. In response to item 11, they will use pavers. Regarding signage, they don't know who will be occupying the spaces yet so would leave it up to them to apply for signage permits.

Mr. Kapalko stated their redeveloper's agreement has approved them to have a bar/restaurant use in one of the commercial spaces, however, they have no potential tenant yet. He added there will be exterior staircases and ramps for access onto the property. Parking has been addressed and approved as part of the redevelopment agreement with the Borough. There will be some shared spaces with the Borough parking lot across the street from his property.

Mr. Caruso discussed the landscaping plan that was submitted as part of the application including plantings, sidewalks, and grading. Also discussed the location of handicap ramps and handicap parking. Explained the trash enclosure at the south west portion of the property.

Mr. Wolfe stated Mr. Ray will explain the 38 parking spaces. Mr. Wolfe and Mr. Caruso confirmed they have obtained all outside agency approvals such as CAFRA and Freehold Soil. Will comply with all FEMA regulations as well. About item 14 of the engineer's review letter, it was a typo, all pavers on the property will be pervious pavers. Mr. Caruso stated they will try to enlarge the handicap ramps but don't believe they have the room to do so. He added they will submit details on the lighting plan to the Borough engineer as requested. Will also address items 18 and 19 of the engineer's review letter. Mr. Caruso stated the originally submitted Environmental Impact Statement is still valid.

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Mr. Kovats pointed out that the engineer's review letter, item 8, referenced a depressed curb near the trash enclosure. Mr. Kapalko and Mr. Caruso agreed to do so. Mr. Kovats asked them to point to the plans and show the location of fence and retaining wall. Mr. Kovats asked if the loading zone will impact public access. Mr. Caruso stated there will be room for people to walk between the loading zone and retaining wall. Mr. Kovats asked if all the infrastructure installed for Phase I will remain. Mr. Caruso stated they will remain and connect to the new building and possibly add to it. Mr. Kovats would like them to consult with fire and police if necessary and address any concerns they may have. Mr. Kapalko stated he has met with the Police Department to address any pedestrian traffic concerns that were addressed in Phase I of the development. About fire, the buildings will have fire suppression systems and will put hookups in each building.

Mr. Berzinskis explained the architectural design of the two buildings. Both buildings will have a residential look to them. Per the engineer's review letter, he will submit footing and foundation details for the proposed gazebo. Mr. Kovats asked about the purpose of the gazebo. Mr. Kapalko stated the redevelopment agreement allows for an outdoor bar area, and may use the gazebo for that, if not, it would be a standard gazebo for sitting. No variances are needed for the size of the gazebo.

Mr. Venezia would like the zoning table on the plans updated to depict accurate square footage of all spaces.

Mr. Rea prepared the 2014 parking and traffic study previously submitted. Feels they will have a minimal parking effect on the surrounding area. There are 38 parking spaces proposed. The ten residential units will require 20 parking spaces. The commercial units will require 22 parking spaces. The total parking requirement would be approximately 42 spaces where 38 is provided. There is an ordinance in place to share public parking per the redevelopment agreement which has been done. There are multiple points of access to the property via 5th, 6th, and 7th Avenues and the marina. Feels the project will have minimal effect on traffic flow. Anticipates only being short 4-5 parking spaces. There are two parking spaces dedicated to the railroad employees to use rather than using a municipal parking space. To address any concerns by the Borough engineer, they could just dedicate only one parking space to the residential units.

Mr. Kapalko stated he has been working with the railroad employees to accommodate their needs for the past four years. Spots will not be designated specifically for them only but they know they can park there. Per the redevelopment agreement they will have two parking spaces designated for each residential unit. They will be marked with signage. He added that all residential units will be sold as condos so the two parking spaces will help with market value and tax ratables.

Mr. Venezia asked if there will be parking permits issued to the residential units. Mr. Kapalko was not sure but the spots themselves will be marked. Mr. Burke stated the amended redevelopment agreement states there will be one parking space dedicated to the residential unit with permit parking. Mr. Kapalko stated he will comply with whatever the agreement states.

Mr. Kovats asked about a parking license in the redevelopment agreement. Mr. Wolfe stated it is in effect now and allows the parking spaces currently on the site to be used by the public until construction starts.

Mr. Windas asked about trash collection inside the building for the residents. Mr. Kapalko stated the residents would use the same dumpsters depicted on the plan. They will add recycling and trash compactors to the site when a commercial tenant is obtained. A three-yard dumpster for trash and recycling will be sufficient. Mr. Windas asked if there will be fencing between the property and Klein's. Mr. Yarusi replied yes. Mr. Windas asked if the loading zone will be clearly identified. Mr. Kapalko replied yes and will allow Klein's to use it. Mr. Venezia would like it to be used only for loading and not for storage of vehicles.

Mr. Windas asked about colors for the exterior. Mr. Berzinskis stated they haven't finalized the colors yet. Mr. Yarusi stated it will be traditional soft colors with a shore look, possibly some grays and blues.

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Mr. Windas asked about a clause in the redevelopment agreement that would allow for more residential units. Mr. Kapalko stated he did present to the Mayor and Council in September doing all residential units but it was a tie vote that got denied.

Mr. Reynolds asked about potential occupancy for bar/restaurant. Mr. Kapalko could not say but the size of the commercial spaces shouldn't be intimidating because you still have to factor in the buildout of kitchen, bathrooms, etc. for the commercial tenant.

Ms. Sheridan asked if all utilities will be separate for each unit. Mr. Caruso replied yes. She asked if there will be an office or building manager on site for the condos. Mr. Yarusi stated there will be a Condominium Association.

Mr. Campbell asked about the pump station. Mr. Kapalko stated he has talked with the Business Administrator about paying the town \$45,000 to go towards the upgrade of the pump station.

Mr. Campbell asked who will be responsible for striping the parking spaces. Mr. Yarusi stated it will be their responsibility.

Mr. Burke asked for clarification on the handicap ramps which Mr. Caruso responded to. Mr. Burke felt the architectural plans should have been presented prior to the meeting.

Public:

Gene Creamer, 4th Avenue, asked if the Mayor and Council ever asked the Planning Board to investigate the vacating of 16,000 square feet of land on River Avenue. Mr. Windas replied no. Mr. Creamer felt the public should have had the opportunity to comment on that. Mr. Windas stated he was sure it was approved at some point by the Mayor and Council when the redevelopment plan was created. Mr. Creamer asked if the pump station is on the vacated land. Mr. Kapalko stated it is on Borough property. Mr. Creamer asked if the developer has title to the vacated land. Mr. Kapalko stated yes.

Board Comments:

Mr. Meyer stated he is satisfied with the application.

Ms. Sheridan stated she would have preferred some more architectural details but all her questions have been answered.

Mr. Campbell was concerned about parking especially with not knowing the amount of people in the bar and possibly in an outdoor gazebo.

Mr. Cohen stated he is satisfied with the application.

Mr. Reynolds stated he still has a concern about the occupancy of the restaurant and how it will affect the 38 parking spaces.

Mr. Magovern stated he is familiar with projects done in town by Mr. Yarusi and Mr. Kapalko and they do good work.

Mr. Burke stated there have been a lot of details that were discussed that need to be addressed and feels we need a cleaner presentation, doesn't feel the application is complete.

Mr. Hoffman stated there are some details that are not there but they have answered the engineer's questions. The overall plan is fine.

Mr. Windas stated he is in favor of the plan and is confident anything that has not been addressed will be.

Mr. Kovats added this application is seeking only site plan approval, no variances. He added that the Board is not granting any outdoor dining approval in relation to the gazebo. The applicant

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will have to submit a permit for that in the future if so choose to. The applicant has agreed to comply with several comments in the Borough engineer's review letter.

Mr. Hoffman made a motion to approve the application, which was seconded by Mr. Campbell and approved by the following vote:

AYES: Mr. Meyer, Ms. Sheridan, Mr. Campbell, Mr. Windas, Mr. Magovern, Mr. Reynolds, Mr. Cohen, and Mr. Hoffman
Nays: Mr. Burke

Ms. Claudio stated she received a letter from Arlene Neppel of 100 15th Avenue, requesting an extension of her site plan and variance approvals granted in 2004. A previous extension was granted until December 31, 2010.

Mr. Kovats stated the applicant received site plan approval with variance relief. The relief expires, which is why a previous extension was granted. She should have requested an extension in 2010 which would have been close to being allowed to be granted. Per the municipal land use law, the approvals lapse unless can show some work being done, which has not been done. Her variances have since expired and she would have to start all over. There could be zoning or FEMA changes that could affect this property now. She can present to the Board what she would like to build and the Board could regrant the approvals.

Mr. Magovern asked if the rentals on the property are an issue. Ms. Claudio stated the property is vacant but the last remaining structure was a property maintenance issue with Code Enforcement.

Mr. Meyer stated he was on the board then and doesn't see how can still grant approvals.

Ms. Sheridan added the permit extension act has expired as well.

Mr. Kovats would prepare a letter responding to her request.

Public: none

Mr. Campbell made a motion to adjourn the meeting, which was seconded by Mr. Windas and approved unanimously.